

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TRUONG NGUYEN,

Petitioner,

v.

PAT GLEBE,

Respondent.

Case No. C12-138-JCC-BAT

**ORDER DENYING 28 U.S.C. § 2254
HABEAS PETITION AND
CERTIFICATE OF
APPEALABILITY**

The Court, having reviewed the 28 U.S.C. § 2254 habeas petition, respondent's Answer, the parties' supplementary briefs, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, Petitioner's objections to the recommendation, and the remaining record, finds and Orders as follows:

1. The Report and Recommendation is **ADOPTED**;
2. Petitioner's habeas petition is **DENIED** on the merits;
3. Petitioner is **DENIED** issuance of a certificate of appealability; and
4. The Clerk shall send a copy of this Order to the parties and to Judge Tsuchida.

1 DATED this 14th day of February, 2013.

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5 JOHN C. COUGHENOUR
6 United States District Judge
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